

Ejectment suit 338 of 2023
(CNR No. WBPS01-000690-2023)

Before Shri. Ashutosh Kumar Singh, Ld. Chief Judge

07.

29-08-2024.

Today is fixed for hearing of petition u/s 7(2) of W.B.P.T. Act, w/o if any in the meantime. Date also fixed for hearing of petition u/o 6 Rule 17 read with section 151 of C.P.Code, w/o if any in the meantime and consideration of acceptance of written statement, w/o if any in the meantime.

Plaintiff files hazira. Defendant files hazira along with a petition u/s 151 of C.P.Code and another petition praying for time for hearing, on the grounds stated therein.

On call Ld. Advocates for the parties are found present. Heard Ld. Advocates for the parties.

Perused the written statement and materials on record. Record reveals that defendant received summons on 16-12-2023 and written statement filed on 24-06-2024. which is beyond the statutory period of limitation.

However in order to give the defendant a fair chance to contest the suit on merit, this court finds that the written statement filed by the defendant on 24-06-2024 may be accepted but the plaintiff must be compensated with cost.

Accordingly the petition filed by the defendant for acceptance of written statement and written statement dt. 24-06-2024 is accepted but subject to payment of cost of **Rs. 1,500/-** payable by the defendant to the plaintiff. Hence this court finds that the suit is ready for trial. Let the case record be transfer to **Ld. 3rd Bench P.S.C. Court, Calcutta.** Parties are directed to appear before the transferee court on **11-11-2024.** Defendant is directed to file receipt showing payment of cost before the transferee court.

Dictated & Corrected

by me

Chief Judge

Chief Judge

J.O. Code WB 01244